

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff,

-against-

BLOOMBERG L.P.,

Defendant.

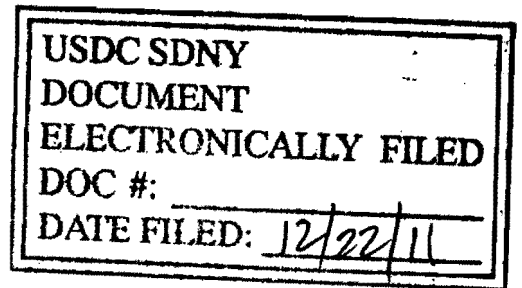
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JILL PATRICOT, TANYS LANCASTER,
JANET LOURES, MARINA KUSHNIR, MONICA PRESTIA,
and MARIA MANDALAKIS,

Plaintiff-Intervenors,

-against-

BLOOMBERG L.P.,

Defendant.
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07-CV-8383 (LAP)

ORDER

WHEREAS on August 17, 2011, an order was entered granting Defendant's Motion for Summary Judgment as to EEOC's Pattern or Practice Claim (Document No. 202) ("August 17, 2011 Summary Judgment Ruling");

WHEREAS in an October 13, 2011 telephone conference, the Court directed EEOC to provide to Bloomberg a list of individual discrimination claims EEOC intends to continue to pursue in this action;

WHEREAS EEOC has notified Bloomberg, by letter dated December 15, 2011, of the claims and relief EEOC is pursuing at this stage of the proceeding ("December 15, 2011 Letter");

WHEREAS EEOC will seek relief for 38 individuals (including the six plaintiff-intervenors) and has stipulated that, absent a successful appeal, will not seek any other backpay,

damages, or victim-specific injunctive or declaratory relief in this action with respect to any individual or claim not identified in the December 15, 2011 Letter;

WHEREAS EEOC has asserted claims for victim-specific monetary or other relief in connection with its pattern or practice claim ("Pattern or Practice Relief"); and


WHEREAS Bloomberg disputes that EEOC is entitled to any such relief;

THEREFORE, IT IS HEREBY ORDERED THAT:

- (1) The claims of EEOC are dismissed to the extent that they include the allegations set forth in Appendix A;
- (2) Any and all other claims previously asserted by EEOC, to the extent they are not identified in the December 15, 2011 Letter, are likewise dismissed;
- (3) This dismissal is without prejudice to the reassertion of any claim for Pattern or Practice Relief for the individuals identified in Appendix A, if but only if the August 17, 2011 Summary Judgment Ruling is reversed on appeal;
- (4) In the event of such a reversal upon appeal, this order does not limit the right of any party to present arguments concerning the availability of any particular form of relief in connection with EEOC's pattern or practice claim;
- (5) Except in the circumstance described in Paragraph (3), above, this dismissal is with prejudice; and
- (6) The claims asserted by the plaintiff-intervenors remain to be adjudicated.

SO ORDERED.

Dated: December 21, 2011


LORETTA A. PRESKA
Chief U.S. District Judge

Appendix A

- Aimee Picchi: Stereotypic/negative comments; Heightened scrutiny, criticism, and additional work responsibilities; Denied assistance to perform her job duties; Denial of promotion, 5/29/05-2006
- Alexandra Gindin: All allegations
- Allyson Houchen: All allegations
- Caroline Wagner: Denied recognition, 2005 and 2006; Criticism for schedule and appointments, 2006; Interfered with use of lactation room, 2006; Micromanaged and prohibited certain travel activities, 2006
- Catherine McGonigle: Denied mid-year 2009 evaluation
- Christina Orara Dodd: Stereotypic and negative comments; Encouraged to work part-time
- Christine Staiti: Denied transfer to U.S., 2007-2010; Heightened scrutiny/criticism about workload; Denied moving benefits related to 2010 transfer
- Colleen McElroy Surlis: Denied scheduling and telecommuting privileges
- Cristina Talone Mannino: Request to work part-time denied
- Dana Zhu: 2005-2006 compensation claims
- Danelle Porrovecchio: All allegations
- Deirdre Maloney: Discriminatory performance evaluations and ratings; Terms, conditions, and privileges of employment
- Diane Hirsch: All allegations
- Donna Vannelli: Criticized for work schedule
- Ekaterine Cherpelis: Stereotypic and negative comments related to sex/pregnancy before accepting employment offer; Work schedule unfairly scrutinized and denial of flexibility in scheduling
- Hye Won Park: Negative performance evaluation in 2007
- Jandee Oh Hewitt: 2005 compensation claim
- Janine Kim: All allegations
- Jennifer Sullivan: 2002 compensation claim; Heightened scrutiny; Denied adoption leave, 2005
- Juliann Walsh: Request to work from home denied in late 2005; Request to return to work part-time after resigning from Bloomberg denied

- Karen Tannenbaum: All allegations
- Kathleen O'Heron: All allegations
- Ketal Wrobel: Negative performance evaluations/ratings, since 2005
- Laura Hutchinson: All allegations
- Lenore Brutton: All allegations
- Marcia Barros: 2003 compensation claim; Negative performance evaluations after May 2005
- Margaret Popper: All allegations
- Margarita Castro: All allegations
- Maria Leggett-Donnelly: All allegations
- Mary Dillard: All allegations
- Mary Elizabeth McGovern: All allegations
- Marybeth Sandell: All allegations
- Meena Krishnamsetty Dogan: Stereotypic comments; Denied flex time because performance under review; Micromanagement
- Melissa Mendel: All allegations
- Meredith Pelkey: Negative and stereotypic comments regarding pregnancy; Unfairly criticized for using vacation days; Denied flexible schedule; Negative evaluations and unfounded criticism of work performance
- Noelle McGowan: All allegations
- Olga Tsidulko: All allegations
- Renee Marcus: Diminished responsibilities upon returning from maternity leave in 2006; Increased responsibilities upon returning from maternity leave in 2006
- Samantha Zee: Denial of promotion to editor, since 2005; Heightened scrutiny/criticism and negative performance evaluation after returning from leave in 2005; Denied career advancing assignments/opportunities since 2005; Performance evaluations/ratings since 2005; Undesirable transfer from General Assignment to Energy team in or around April 2007
- Sarita Bhat: All allegations
- Scarlet Fu: All allegations
- Sharon Rochford: Denied flexible schedule; Hostile and stereotypic comments; Assigned less desirable territory in late 2009; Assigned to work for Brenton Karman in 2009; Denied

- transfer to Product Development in 2009; Negative performance evaluations/ratings; Denial of opportunity to work from home; Denial of team leader position in 2009; Denied training opportunities
- Shivanie Rempergash: All allegations
 - Sofia Fernandez: 2004 compensation claim
 - Sondra Kennedy: All allegations
 - Stacey Ryczkowski: All allegations
 - Stefanie Batcho-Lino: Failure to acknowledge positive accomplishments after she returned from leave in December 2006; Discriminated against with respect to schedule
 - Tannia Munroe: Pressure to work longer hours than pre-maternity leave after return from leave in 2005; Unfair criticism and scrutiny
 - Ti Zhang: 2005, 2008-2010 compensation claims; Negative performance evaluations/ratings; Denial of work-from-home days; Negative treatment following deposition
 - Vania Carvalhaes: All allegations
 - Vicki Texidor: All allegations
 - Winnie Yeh: All allegations
 - Yelena Eisenhauer: All allegations